

postsecondary education system. The mission of the Maryland Higher Education Commission is to ensure that Marylanders have access to a high quality, diverse, adequately funded, effectively managed, and capably led system of postsecondary education. Today, under the leadership of Dr. Calvin Burnett, MHEC accomplishes its mission through the provision of statewide planning, leadership, coordination, and advocacy for the State's postsecondary educational institutions and through the administration of State financial aid programs. As you know, the Governor appoints Maryland Higher Education Commissioners subject to the advice and consent of the Senate. Among other duties, Commissioners are charged to review academic programs at Maryland institutions of higher education based on recommendations of expert, nonpartisan MHEC staff. Annually, the Commission reviews and approves on average approximately 250 certificate and degree programs.

Senate Bill 998 would allow the judicial branch to substitute its judgment for that of the Commission and its staff, potentially delay implementation of important educational programs, and cost untold amounts in legal fees and court expenses for institutions of higher education. These funds are better spent on educating Maryland students.

The enacted Fiscal Year 2007 budget contains language that withholds \$2 million of the \$6.9 million administrative budget of MHEC should Senate Bill 998 not become law. This financial coercion designed to gain my acquiescence of this proposal is unacceptable. The General Assembly's irresponsible requirement that the Commission lose \$2 million in operating funds should the Executive exercise his constitutional authority to veto this legislation could lead to the elimination of many dedicated and expert State employees within the agency. Accordingly, I have directed the Department of Budget and Management to provide a plan for interim resources to mitigate the financial damage the General Assembly has caused by Senate Bill 998.

For the above stated reasons, today I have vetoed Senate Bill 998.

Sincerely,
Robert L. Ehrlich, Jr.
Governor

Senate Bill No. 998

AN ACT concerning

Institutions of Maryland Higher Education Commission - Review of Duplicative Academic Programs and Funding Parity

FOR the purpose of ~~amending the Maryland Charter for Higher Education to require certain funding policies to allocate certain resources in a certain manner to certain similarly classified institutions of higher education; requiring the Maryland Higher Education Commission to ensure that parity exists between certain academic programs at certain institutions of higher education and that certain programs receive equitable and comparable funding; requiring the Commission to determine whether certain proposed academic programs meet certain requirements; prohibiting the Commission from approving certain~~